EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as

provided by 37 CFR 1.312. To ensure consideration of such an amendment, it

MUST be submitted no later than the payment of the issue fee.

Authorization

Authorization for this examiner's amendment was given in a telephone

interview with Mr. Kyle Hepner #64,444 on 05 April 2011.

Claims Allowed

Claims 1-6, 8, 10-14 and 16-21 entered 03 February 2011 are allowed.

Claims 7, 9 and 15 were cancelled by previous Applicant amendment.

In the Claims

The application has been amended as follows:

- Delete claim 1 in its entirety and insert therefore:

- -1. A computerized method of competing in a complex contract competition,

comprising the steps of:

  receiving a request from a buying organization;

  identifying an industry having industry standards in which the buying

organization is defined;

identifying a plurality of change in wealth factors of the buying

organization, wherein each of the change in wealth factors has an associated

time frame and an industry standard;

entering the industry standards, the change in wealth factors, and the time

frames into a calculating program;

calculating a value position of the buying organization by executing the

calculating program with an associated computer, wherein said calculating

program comprises:

assigning a numerical value to each industry standard;

assigning a numerical value to each of the change in wealth factors

of the buying organization by comparing each of the change in wealth

factors to the respective industry standard, wherein the assigned change

in wealth factor numerical value of the buying organization is equal to the

respective industry standard numerical value if the change in wealth factor

is neutral relative to the respective industry standard, a numerical value

greater than the respective industry standard numerical value is assigned

as the change in wealth factor numerical value if the change in wealth

factor is positive relative to the respective industry standard, and a

numerical value less than the respective industry standard numerical

value is assigned as the change in wealth factor numerical value if the

change in wealth factor is negative relative to the respective industry

standard;

adjusting each of the assigned change in wealth factor numerical values by a predetermined unit depending on the respective time frame associated with the change in wealth factor, wherein the assigned numerical value is increased if the time frame is shorter than an industry standard time frame, and the assigned numerical value is decreased if the time frame is longer than an industry standard time frame;

tallying the industry standard numerical values for each of the identified change in wealth factors to provide a total industry standard value and using this value to create a central value range;

tallying the adjusted, assigned change in wealth factor numerical values to provide a total value;

comparing the total value to the central value range;

assigning a neutral value position to the buying organization if the total value is within the central value range;

assigning a positive value position to the buying organization if the total value is greater than the central value range; and

assigning a negative value position to the buying organization if the total value is less than the central value range;

framing a response of an overall loss to the request based on the calculated value position if the assigned value position is positive or negative;

framing a response of an overall gain to the request based on the calculated value position if the assigned value position is neutral; and

submitting the framed response to the buying organization.- -

- Delete claim 8 in its entirety and insert therefore:

- -8. A method of calculating a value position of an organization, comprising the steps of:

identifying an industry having industry standards in which the organization is defined;

identifying a plurality of change in wealth factors of the organization, wherein each of the change in wealth factors has an associated time frame and;

entering the change in wealth factors and time frames into a computer program, wherein the computer program:

assigns a numerical value to each of the industry standards;

assigns a numerical value to each of the change in wealth factors of the organization by comparing each change in wealth factor to the respective industry standard, wherein the assigned change in wealth factor numerical value of the buying organization is equal to the respective industry standard numerical value if the change in wealth factor is neutral relative to the respective industry standard, a numerical value greater than the respective industry standard numerical value is assigned as the change in wealth factor numerical value if the change in wealth factor is positive relative to the respective industry standard, and a numerical value less than the respective industry standard numerical value is assigned as

the change in wealth factor numerical value if the change in wealth factor

is negative relative to the respective industry standard;

adjusts each of the assigned change in wealth factor numerical

values by a predetermined unit depending on the respective time frame

associated with the change in wealth factor, wherein the assigned change

in wealth factor numerical value is increased if the time frame is shorter

than an industry standard time frame, and the assigned numerical value is

decreased if the time frame longer than an industry standard time frame;

tallies the industry standard numerical values for each of the

identified change in wealth factors to provide a total industry standard

value, and uses this value to create a central value range;

tallies the adjusted, assigned change in wealth factor numerical

values to provide a total value;

compares the total value to the central value range;

assigns a neutral value position to the organization if the total value

is within the central value range;

assigns a positive value position to the organization if the total

value is greater than the central value range;

assigns a negative value position to the organization if the total

value is less than the central value range; and

outputs the value position from a computer system executing the

computer program.- -

- Delete claim 13 in its entirety and insert therefore:

- -13. A system for calculating a value position of a buying organization

requesting responses to a complex contract, the system comprising:

a computer having a display;

a computer program executable by said computer, said computer program

having a plurality of input fields, and said computer program having computer

instructions for:

receiving an input of a change of wealth factor corresponding to

each one of said plurality of input fields, wherein an industry standard and

a time frame are attributed to each change in wealth factor;

assigning a numerical value to each industry standard;

assigning a numerical value to each change in wealth factor

entered in each of said plurality of input fields by comparing each change

in wealth factor to the industry standard, wherein the assigned change in

wealth factor numerical value of the buying organization is equal to the

respective industry standard numerical value if the change in wealth factor

is neutral relative to the respective industry standard, a numerical value

greater than the respective industry standard numerical value is assigned

as the change in wealth factor numerical value if the change in wealth

factor is positive relative to the respective industry standard, and a

numerical value less than the respective industry standard numerical

value is assigned as the change in wealth factor numerical value if the

change in wealth factor is negative relative to the respective industry

standard;

adjusting each of the assigned numerical values by a

predetermined unit depending on the time frame associated with the

change in wealth factor, wherein the assigned change in wealth factor

numerical value is increased if the time frame is shorter than an industry

standard time frame, and the assigned change in wealth factor numerical

value is decreased if the time frame longer than an industry standard time

frame;

tallying the industry standard numerical values for each of the

change in wealth factors to provide a total industry standard value and

using this value to create a central value range;

combining each of the adjusted, assigned change in wealth factor

numerical values to form a total value;

comparing the total value to the central value range;

assigning a neutral value position to the competitor if the total value

is within the central value range;

assigning a neutral value position to the buying organization if the

total value is within the central value range;

assigning a positive value position to the buying organization if the

total value is greater than the central value range;

assigning a negative value position to the buying organization if the

total value is less than the central value range; and

displaying the assigned value position on the display.- -

- Delete claim 14 in its entirety and insert therefore:

- - 14. A system for calculating a value position of a competitor competing with a

vendor for a complex contract, the system comprising:

a computer having a display;

a computer program executable by said computer, said computer program

having a plurality of input fields, and said computer program having computer

instructions for:

providing receiving an input of a change of wealth factor

corresponding to each one of said plurality of input fields, wherein an

industry standard and a time frame is attributed to each change in wealth

factor;

assigning a numerical value to each industry standard;

assigning a numerical value to each change in wealth factor

entered in each of said plurality of input fields by comparing each change

in wealth factor to the industry standard, wherein the assigned change in

wealth factor numerical value of the buying organization is equal to the

respective industry standard numerical value if the change in wealth factor

is neutral relative to the respective industry standard, a numerical value

greater than the respective industry standard numerical value is assigned as the change in wealth factor numerical value if the change in wealth factor is positive relative to the respective industry standard, and a numerical value less than the respective industry standard numerical value is assigned as the change in wealth factor numerical value if the change in wealth factor is negative relative to the respective industry standard;

adjusting each of the assigned numerical values by a predetermined unit depending on the time frame associated with the change in wealth factor, wherein the assigned change in wealth factor numerical value is increased if the time frame is shorter than an industry standard time frame, and the assigned change in wealth factor numerical value is decreased if the time frame is longer than an industry standard timeframe;

tallying the industry standard numerical values for each of the change in wealth factors to provide a total industry standard value and using this value to create a central value range;

combining each of the adjusted, assigned change in wealth factor numerical values to form a total value;

comparing the total value to the central value range;

assigning a neutral value position to the competitor if the total value is within the central value range;

assigning a positive value position to the competitor if the total

value is greater than the central value range;

assigning a negative value position to the competitor if the total

value is less than the central value range; and

displaying the assigned value position on the display.- -

• Delete claim 16 in its entirety and insert therefore:

- -16. A computer-readable medium on which is encoded computer-executable

program code that is executed by a computer to calculate a value position of an

organization, the program code comprising:

program code for receiving an input of a plurality of change in wealth

factors of the organization from a user, wherein a time frame and an industry

standard is attributed to each of the plurality of change in wealth factors;

program code for assigning a numerical value to each of the industry

standards;

program code for assigning a numerical value to each of the change in

wealth factors of the organization by comparing each of the change in wealth

factors to the respective industry standard, wherein the assigned change in

wealth factor numerical value of the buying organization is equal to the

respective industry standard numerical value if the change in wealth factor is

neutral relative to the respective industry standard, a numerical value greater

than the industry standard numerical value is assigned as the change in wealth

factor numerical value if the change in wealth factor is positive relative to the respective industry standard, and a numerical value less than the respective industry standard numerical value is assigned as the change in wealth factor numerical value if the change in wealth factor is negative relative to the respective industry standard;

program code for adjusting each of the assigned change in wealth factor numerical values by a predetermined unit depending on the time frame associated with the change in wealth factor, wherein the assigned numerical value is increased if the time frame is shorter than an industry standard time frame, and the assigned numerical value is decreased if the time frame is longer than the industry standard time frame;

program code for tallying the industry standard numerical values for each of the identified change in wealth factors to provide a total industry standard value, and using this value to create a central value range;

program code for tallying the adjusted, assigned change in wealth factor numerical values to provide a total value;

program code for comparing the total value to the central value range;

program code for assigning a neutral value position to the organization if the total value is within the central value range;

program code for assigning a positive value position to the organization if the total value is greater than the central value range;

program code for assigning a negative value position to the organization if

the total value is less than the central value range; and

program code for outputting the value position.- -

Closest Prior Art

Thompson US 2002/0072957,Paper #20061224

Cressman, Jr. Item U, Paper #20070615

Conclusion

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Robert M. Pond whose telephone number is

571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

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published applications may be obtained from either Private PAIR or Public PAIR.

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/
Primary Examiner, Art Unit 3625
April 5, 2011